

2010-205-C-230834  
2008-275C-230835

## NEXUS COMMUNICATIONS, INC.



3629 Cleveland Ave., Suite C  
P.O. Box 247168  
Columbus, OH 43224  
740-549-1092  
740-548-1173 Fax

Via email

July 11, 2011

RECEIVED

Ms. Jocelyn D. Boyd, Esquire  
Chief Clerk and Administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive, Suite 100  
Columbia, SC 29201

PSC SC  
MAIL / DMS

**Re:** Certification of the use of Universal Service Funds pursuant to 47 CFR § 54.314 and Telecommunications Act § 254(e); FCC CC Docket No. 96-45; SC Docket 2010-205-C.

Dear Ms. Boyd:

This letter is to request that the Public Service Commission of South Carolina ("Commission") submit a letter to the Federal Communications Commission ("FCC") and the Universal Service Administrative Company ("USAC") certifying that Nexus Communications, Inc. ("Nexus", the "Company") is in compliance with all provision of Section 254(e) of the Telecommunications Act. In demonstration thereof, Nexus submits its 2010 Annual Report.

The amount of federal support Nexus is able to receive is limited to low-income support. In accordance with federal regulation, Nexus uses all support received for the services and functionalities outlined in 47 C.F.R. § 54.101(a) and, as the attached affidavit shows, certifies that it will use the federal support it receives only for the provision, maintenance and upgrading of facilities and service for which such support is intended.

Nexus respectfully request that the Commission report and affidavit as self-certification that the Company is in compliance with 47 CFR § 54.314, 47 USC § 254(e) and S.C. Reg. 103-690.1.B. In accordance with the requirements of S.C. Reg. 103-690.1.B, Nexus Communications, Inc. ("Nexus", the "Company") hereby files the Company's ETC annual report and certification and respectfully requests that the Commission file a certification with the FCC and USAC no later than October 1, 2009, that all federal support provided to Nexus, including low-income support, has been used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

Due to the nature of some of the information provided in this filing, Nexus, pursuant to Order 2005226, is requesting confidential treatment of this report and is filing both a redacted and non-redacted version.

Please contact me at (318) 780-3987 with any questions regarding this filing.

Respectfully,

A handwritten signature in black ink, appearing to read 'Ronald Munn'.

Ron Munn  
Consultant to Nexus Communications, Inc.  
(318) 780-3987

**BEFORE THE  
PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA**

**DOCKET NO. 2008-275-C**

**DOCKET NO. 2010-205-C**

CERTIFICATION OF THE USE OF	)	
UNIVERSAL SERVICE FUNDS	)	
PURSUANT TO 47 C.F.R. 54.314 AND	)	ETC ANNUAL REPORT
TELECOMMUNICATIONS ACT 254(e)	)	
FCC DOCKET NO. 96-45	)	

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Pursuant to regulation 103.690.1 of the South Carolina Public Service Commission (“Commission”), Nexus Communications, Inc. (“Nexus”, the “Company”) hereby submits this Eligible Telecommunications Carrier (“ETC”) annual report.

**I. BACKGROUND**

The Commission, by Order 2009-316 in Docket 2008-275-C, dated June 10, 2009, designated Nexus as an ETC pursuant to 47 U.S.C. § 214(e)(2) and required that all federal Universal Service Fund (“USF”) support received as a result of the Order would be used for Lifeline and Link-Up support for Low-Income customers. Based on this Order, the Universal Service Administrative Company (“USAC”) assigned Nexus Study Area Code 249007 for the Company’s designated service area. Pursuant to the Federal Communications Commission’s (“FCC”) rules, which requires states to establish an annual certification process for Competitive Local Exchange Carriers (“CLECs”) receiving federal low income support, Nexus submits this amended annual report for the purpose of extending its ETC designation and the Commission’s certification of Nexus’ entitlement to receive low income support for the 2012 calendar year.

**II. ANNUAL REPORTING REQUIREMENTS**

Pursuant to the Commission's regulation 103.690.1, a common carrier designated under 47 U.S.C. § 214(e)(2) as an ETC after January 1, 2007 shall provide specific information in its ETC Annual Report. However, as Nexus' designation is limited to the receipt of low income support from the USFs low-income mechanism, some of the information requested by the Commission's regulation is not applicable to Nexus as that information is specifically required of ETCs that receive high cost support. Consistent with 103.690.1.B(b)(11), Nexus will, in this report, provide information sought by the Commission that is applicable to the receipt of low income support.

- A. 103-690.1.B(b)(3) - The Number of Requests for Service From Potential Customers Within the Eligible Telecommunications Carrier's Service Areas that were Unfulfilled During the Past Year and How the ETC Attempted to Provide Service to Those Potential Customers.

During the current reporting period, Nexus reports the number of request for service from potential customers that went unfulfilled in the Company's designated service area in the State of South Carolina to be "Redacted".

- B. 103.690.1.B(b)(4) - The Number of Complaints or Trouble Reports per 1000 Handsets or Access Lines.

For the current reporting period, Nexus reports the number of complaints or trouble reports per one thousand handsets or lines in the State of South Carolina to be "Redacted".

- C. 103-690.1.B(b)(5) - Certification that it is Complying with Applicable Service Quality Standards and Consumer Protection Rules, as Designated by the Commission.

Nexus certifies compliance with all applicable Commission service quality, consumer protection requirements and standards and supports 911 services as applicable and will continue to strive for excellence in all areas of customer service.

D. 103-690.1.B(b)((6) – A Detailed Report and Certification that the Carrier is Able to function in Emergency Situations.

Nexus certifies that it is in compliance with 47 C.F.R. § 54.9a)(2) and is able to remain functional in emergency situations which includes a reasonable amount of back-up power to ensure functionality without an external power source, the ability to reroute traffic around damaged facilities and the capability of managing traffic spikes resulting from emergency situations. As an ETC, Nexus also uses facilities and services of the Company's interconnected carrier, which in this instance is AT&T South Carolina, which also possesses a reasonable amount of back-up power necessary to ensure functionality, the ability to reroute traffic around damaged facilities and the capability to manage traffic spikes that are a result of emergency situations.

E. 103-690.1.B(b)(7) - For Non-Incumbent Local Exchange Carriers Certification that the Carrier is Offering a Local Usage Plan Comparable to that Offered by the Incumbent LEC in the Relevant Service Areas.

As required by 47 C.F.R. § 54.202(3), Nexus certifies that it offers a local usage plan comparable to that offered by the incumbent LEC in the designated service area. However, it is important to point put that the requirement is to offer a local usage plan that is "comparable" but not "identical." In compliance with this requirement, Nexus offers its end users a flat rate plan that includes unlimited local inbound and outbound calling.

F. 103-690.1.B(b)(8) - Certification that the Carrier Acknowledges that the Federal Communications Commission May Require it to Provide Equal Access to Long Distance Carriers in the Event that No Other Eligible Telecommunications Carrier is Providing Equal Access Within the Service Area.

As required by 47 C.F.R. § 54.209(8), Nexus certifies that it may be required to provide equal access to long distance carriers in the event that no other ETC is providing equal access within the service area.

- G. 103-690.1.B(b)(9) - The number of Lifeline Customers and the Number of Customers that Received Link Up Assistance as of December 31st of the Prior Year.

As required, Nexus reports that the number of Lifeline customers as of December 31, 2009, served via facilities based local exchange service and through resale of local exchange service, and the total number of customer's that received Link Up assistance as of December 31, 2009, in Study Area 249007, to be as follows.

Number of Lifeline Customers as of December 31, 2009 Served Via facilities based	Redacted
Number of Lifeline Customers as of December 31, 2009 Served Via resale	Redacted
Number of Customer's that Received Link Up Assistance as of December 31, 2009	Redacted

- H. 103-690.1.B(b)(10) - Copies of Responses to the Lifeline Verification Survey or Certification Filed with the Universal Service Administrative Company on August 31st of each year as described in FCC Public Notice DA 07-3088.

Attached as Exhibit A, is a copy of Nexus' most recent "Annual Certification of Compliance with State Lifeline Verification Procedures" as filed with USAC for Study Area 249007.

- I. A Copy of the of the USAC Form 497 Report for the Most Recent Calendar Quarter as Submitted to USAC.

Attached as Exhibit B is a copy of the USAC Form 497 Report for the Most Recent Calendar Quarter as Submitted by Nexus to USAC.

### III. CONCLUSION

Nexus respectfully request that the Commission re-certify Nexus's designation as an ETC throughout the Company's designated service located in and throughout the State of South Carolina. As set forth above, Nexus satisfies all of the annual reporting requirements established by the FCC and the Commission as they pertain to ETC re-certification and designation. As a result, Nexus ask that its designation be re-certified throughout the Company's designated service area. In addition, Nexus request that the Commission submit a letter to the FCC and USAC certifying that Nexus is in compliance with all provisions of and uses all support received only for the provision, maintenance and upgrading of facilities and service for which support is intended and is eligible to receive universal service support for the coming calendar year.

By: 

Steven Fenker  
President  
Nexus Communications, Inc.  
3629 Cleveland Ave, Suite C  
Columbus, OH 43224  
Email Address: [sfenker1@earthlink.net](mailto:sfenker1@earthlink.net)  
(740) 549-1092

Columbus, Ohio  
July 8, 2011

# AFFIDAVIT

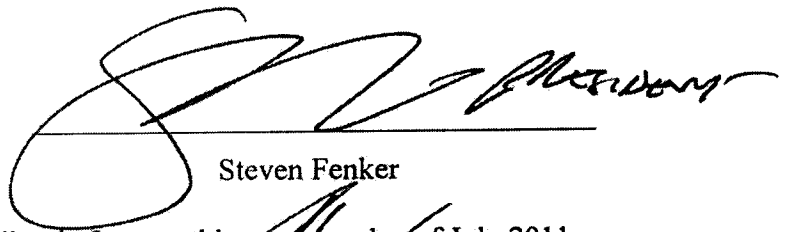
State of Ohio

County of Franklin

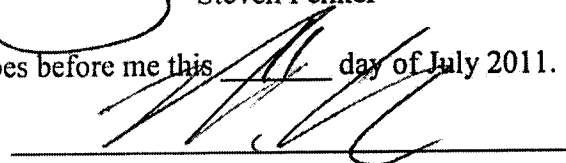
Steven Fenker, being duly sworn, states as follows:

1. I am President of Nexus Communications, Inc. In this position, I am personally familiar with the Federal Universal Service support received by Nexus and how that support is used.
2. The Federal Universal Service support funds received by Nexus will be used only for the purposes for which that support is intended. Specifically, Nexus will use the support to provide the supported services as designated in 47 C.F.R. § 54.101 which Nexus makes available through its designated service area in the State of South Carolina.
3. I have read Nexus's Annual Report for 2010 and confirm that the information contained is true and correct to the best of my knowledge.

The matters addressed above are within my personal knowledge and are true and correct.

  
Steven Fenker

Taken, sworn to and subscribes before me this 14 day of July 2011.

  
Notary Public

My commission expires on the 25 day of APR 2014.



MUWAFEK ABDULLAH  
NOTARY PUBLIC  
STATE OF OHIO  
Comm. Expires  
April 25, 2014  
Recorded in  
Franklin County

## **EXHIBIT A**

**Annual Certification of Compliance with State Lifeline Verification Procedures as filed  
with USAC for Study Area 249007**



**REDACTED**

## **EXHIBIT B**

A copy of the USAC Form 497 Report for the Most Recent Calendar Quarter as  
Submitted by Nexus to USAC.

**REDACTED**